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DATE: January 14, 2003

PTO IDENTIFIER: Application Number 09/765,272-Conf. #9690  
Patent Number

Inventor: Choi et al.

MESSAGE TO: Group 1600 Customer Service Center

FAX NUMBER: (703) 746-9195

FROM: Lin J. Hymel, Reg. No. 45,414  
Human Genome Sciences, Inc.

PHONE: (301) 251-6015

Attorney Dkt. #: PB340P2C2

PAGES (Including Cover Sheet): 7

## CONTENTS:

1. Fax Cover Sheet (1 page);
2. Third Request for Corrected Filing Receipt (2 pages);
3. Copy of Replacement Filing Receipt with correction noted thereon (2 pages);
4. Copy of PTO date-stamped posting itemizing each element of the instant application as filed (1 page); and
5. Certificate of Transmission (1 page).

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Human Genome Sciences, Inc.  
9410 Key West Avenue, Rockville, Maryland 20850  
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VIA FAX (703 746-9195) TO  
GROUP 1600 CUSTOMER SERVICE  
CENTER JANUARY 14, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Choi et al.

Docket No.: PB340P2C2

Application No.: 09/765,272

Group Art Unit: 1645

Filed: January 22, 2001

Examiner: P. Duffy

For: *Streptococcus pneumoniae* Antigens and  
Vaccines

**THIRD REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Applicants respectfully request a corrected Filing Receipt be issued which indicates that neither a Request for Non-publication nor a Request for Early Publication was filed in the above-listed application.

Applicants note that the Official Filing Receipt mailed August 7, 2002, was correct in all particulars. Applicants received a Replacement Filing Receipt, mailed August 22, 2002, which incorrectly indicated that Applicants filed a Request for Early Publication. Applicants have not filed a Request for Early Publication. Applicants requested by facsimile transmission on September 4, 2002 that the Replacement Filing Receipt be corrected. Applicants then received a Response to Request for Corrected Filing Receipt, mailed November 6, 2002, which states that the PTO is "unable to comply with the request" for correction of the Filing Receipt because the "request for non-publication was not timely filed." However, Applicants did not file a Request for Non-publication or a Request for Early Publication with the instant application. On

Application No.: 09/765,272

Docket No.: PB340P2C2

November 14, 2002, Applicants filed a Second Request for Corrected Filing Receipt by facsimile transmission. No response to that request has been received.

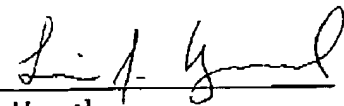
Because Applicants did not file either a Request for Non-publication or a Request for Early Publication, Applicants believe that the Response to Request for Corrected Filing Receipt was issued in error. Therefore, Applicants again request that a Corrected Filing Receipt be issued which indicates that neither a Request for Non-Publication nor a Request for Early Publication has been filed for the instant application.

In support of the above request, Applicants attach a copy of Replacement Filing Receipt with the requested correction noted thereon. Applicants also attach a copy of the PTO date-stamped postcard evidencing receipt of the application by the Patent and Trademark Office. The postcard itemizes each element of the instant application as filed. Applicants point out that said PTO date-stamped postcard does not list either a Request for Early Publication or a Request for Non-publication as part of the application package. Applicants therefore request that a corrected Filing Receipt be issued and mailed to Applicants.

No fee is believed due for this submission. In the event that a fee is required in connection with this submission, please charge the required fee to Deposit Account No. 08-3425.

Dated: January 14, 2002

Respectfully submitted,

By   
Lin J. Hymel

Registration No.: 45,414  
HUMAN GENOME SCIENCES, INC.  
9410 Key West Avenue  
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KKH/MJH/LJH/ba



**Title**

Streptococcus pneumoniae antigens and vaccines

**Preliminary Class**

435

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**HUMAN GENOME SCIENCES, INC.**

**Applicants:** Choi et al.

**Docket No.:** PB340P2C2

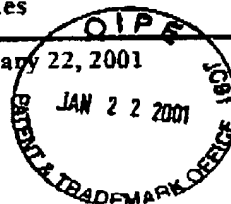
**Application No.:** To be assigned

**Filed:** January 22, 2001

**Title:** *Streptococcus pneumoniae* Antigens and Vaccines

**Documents Filed Via Hand Delivery on January 22, 2001**

1. Postcard(s) (2);
2. Utility Patent Application Transmittal;
3. Fee Transmittal Sheet w/appropr. fee (in dupl.);
4. Application Data Sheet (2 pages);
5. Specification (388 pages, including 110 pages specification description. [pp 1-110]; 274 pages sequence listing [pp 111-384]; 3 pages of 21 claims [pp 385-387], and 1 page abstract [pg 388];
6. Request Under 37 C.F.R. § 1.821(e); and
7. Copies of Declarations from parent application Serial No. 08/961,083 (in five counterparts; 15 pages)



KKH/ba

Attn: Legal Department

PTO/SB/97 (12-97)  
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